

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2681 OF 2004

Shridhar Govind Hatim ..Petitioner.

Versus

Smt. Shraddha S. Hatim & Ors. ..Respondents.

Mr. S.B.Sharma for the Petitioner.

Mr. Anilkumar Patil for the Respondents 1 to 3.

CORAM : S. A. BOBDE, J.

DATED : 16TH AUGUST, 2005.

P.C.:

1. After having heard the matter for quite some time and having regard to the fact that the mediation between the parties has failed, it seems that the circumstances of the case warrant a minor modification in the order of the lower court.

2. The petitioner is the husband who earns about Rs.10,000/- per month. The wife earns about

Rs.15,000/- per month. Admittedly, the children are with the wife. It is held by the trial court that it is the responsibility of both i.e. the petitioner and respondent, to contribute towards the maintenance of the children. The trial court has directed the petitioner to pay a sum of Rs. 2000/- per month for the children. The petitioner states that his take home salary is about Rs. 2,100/-. Without accepting that figure and without giving a finding to that effect, in the circumstances of the case, I consider it appropriate to reduce the amount of maintenance payable by the petitioner husband to Rs.1,200/- per month for both the children. This order shall operate prospectively and will not entitle the petitioner to claim recovery or adjustment.

3. Petition is disposed of in the above terms.

DT.16.08.05

(S.A.BOBDE, J)

.....